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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,075	08/19/2003	Robert L. Alcorn	114049.122 (US1)	3053
7590 Wayne M. Kennard Hale and Dorr LLP 60 State Street Boston, MA 02109		12/19/2006	EXAMINER NGUYEN, THANH T	
			ART UNIT 2144	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/19/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/643,075	Applicant(s) ALCORN ET AL.	
	Examiner Tammy T. Nguyen	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/20/05</u> | 6) <input type="checkbox"/> Other: _____ |



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Detailed Office Action

1. This action is in response to the most recent papers received.
2. Claims 1-9 have been examined.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on September 2, 2005 was filed after the mailing date of the instant application on August 19, 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

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that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 2, 3, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Harple et al. (USPN 6,195,091 – Date of Patent: February 27, 2001, herein referred to as “Harple”).
7. As to claim 1, **Harple** discloses the invention as claimed, including a method for accessing and using a text tool from a text editor, comprising the steps of: accessing the text editor [see col.5, lines 30-32] (*text editor available on computer systems' text Editor*); accessing the text tool [see col.5, lines 26-64] (*text tool application module 34b allowed a user to load, modify*); and associating text tool data with the text editor [see col.5, lines 26-41] (*text tool application module 34b allowed a user to load, modify (editor), save, and print basic ASCII text on the local system*).

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8. As to claim 2, **Harple** discloses the invention as claimed, wherein the text editor invokes the text tool [see col.5, lines 14-21] (*for example, by clicking a mouse on the icon*)
9. As to claim 3, **Harple** discloses the invention as claimed, further comprising the step of displaying text editor [see col.6, lines 30-35] (*standard image editor, such as sun's icon Editor*) data and the text tool data [see col.5, lines 35-40] (*text tools are displayed in text tool window*).
10. As to claim 8, **Harple** discloses the invention as claimed, wherein said associating step comprises providing a pointer to the text tool data [see col.5, lines 15-18] (*by clicking the mouse (pointer) on the icon*).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 4, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harple et al., (hereinafter Harple) U.S. Patent No. 6,195,091 in view of Boucher et al., (hereinafter Boucher) U.S. Patent No. 6,745,368.
13. As to claim 4, **Harple** does not explicitly disclose the invention as claimed, further comprising the step of storing the text tool data.

14. In the same field of endeavor, **Boucher** et al discloses (e.g.,... method, apparatus and system for storing, retrieving and playing multimedia data). **Boucher** discloses further comprising the step of storing the text tool data [see Boucher, col.1, lines 40-52] (*text editors (text tools) use cache directories to store content*).
15. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated **Boucher**'s teachings of a method, apparatus and system for storing, retrieving and playing multimedia data with the teachings of **Harple** to have the step of storing the text tool data for the purpose of reducing accessing times in the Internet [see Boucher col.1, lines 45-52].
16. As to claim 5, **Harple** does not explicitly disclose the invention as claimed, wherein the text tool data is stored in a HyperText Markup Language format. In the same field of endeavor, **Boucher** et al discloses (e.g.,... method, apparatus and system for storing, retrieving and playing multimedia data). **Boucher** disclose wherein the text tool data is stored in a Hyper Text Markup Language format [see Boucher, col.1, lines 40-52] (*text editors (text tools) same Internet and other text an graphical content, and this content is usually stored in its original form (for example html and accompany images)*).
17. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated **Boucher**'s teachings of a method, apparatus and system for storing, retrieving and playing multimedia data with the teachings of **Harple** to have the text tool

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data is stored in a Hyper Text Markup Language format for the purpose of reducing accessing times in the Internet [see Boucher col.1, lines 45-52].

18. As to claim 6, **Harple** discloses the invention as claimed, wherein the text tool data is stored in a non-HyperText Markup Language format [see col.5, lines 29-33].
19. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harple et al., (hereinafter Harple) U.S. Patent No. 6,195,091 in view of Boucher et al., (hereinafter Boucher) U.S. Patent No. 6,745,368 further in view of DeRose et al., (hereinafter DeRose) U.S. Patent No. 6,167,409.
20. As to claim 7, **Harple** and Boucher do not discloses the invention as claimed, wherein the non-HyperText Markup Language format is translated into the HyperText Markup Language format at run time.
21. In the same field of endeavor, **DeRose** discloses (e.g., computer system and method for customizing context information sent with document fragments across a computer network). **DeRose** discloses the non-HyperText Markup Language format is translated into the HyperText Markup Language format at run time [see DeRose, col.14, lines 41-50] (*SGML documents in other document type definitions (DTDs) can be readily down-converted to HTML documents*).
22. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated

DeRose's teachings of a computer system and method for customizing context information sent with document fragments across a computer network with the teachings of **Harple** to the non-HyperText Markup Language format is translated into the HyperText Markup Language format at run time for the purpose of optimization of information retrieval capabilities using document structure are lost [see DeRose, col.4, lines 25-27].

23. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harple et al., (hereinafter Harple) U.S. Patent No. 6,195,091 in view of Marchak et al., (hereinafter Marchak) U.S. Patent No. 6,006,195.
24. As to claim 9, **Harple** discloses the invention as claimed, including a method for accessing and using a text tool from a text editor, comprising the steps of: installing on a system a file compatible with a known system application program interface (API) [see Harple col. 9, line 50 to col.10, line 5](with user interface API, wherein the installed file utilizes the known API to provide a text tool that can be used in connection with a text editor [*it is inherent, because in order to have sender sends text tool to the receiver to modify or edit, by click the icon then allow user to edit or modify for the conferences. They have to have a software is installed and have to be compatible with an API to be able to be used by user. Therefore, it is inherent*]; invoking the text editor [see col.5, lines 14-21] (*for example, by clicking a mouse on the icon*); determining if the user has rights to utilize the text tool, and if the user has rights, granting access to the text tool [see Harple, col.9, lines 52-65] (*user*

interface allows developers to access all of the technology o the application modules while having the flexibility to modify).

25. However, **Harple** does not explicitly disclose specifying in the file one or more roles that can utilizes the text tool.
26. In the same field endeavor, **Marchak** discloses (e.g., Product development system and method using integrated process and data management).
Marchak discloses specifying in the file one or more roles that can utilizes the text tool [see Marchak, col.4, lines 9-18] (*specifying who can edit the item's attachments, which attachments are visible, which are editable, and which are required*).
27. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated **Marchak's** teachings of a Product development system and method using integrated process and data management with the teachings of **Harple** to have specifying in the file one or more roles that can utilizes the text tool for the purpose of allowing users to define and modify processes in a simple manner [see Marchak, col.3, lines 40-45].

Conclusion

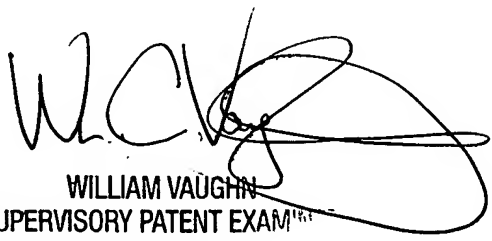
28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

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29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WV

November 17, 2006


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